

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, JULY 21, 1992  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 11:00 a.m. Mayor O'Connor recessed the meeting at 12:17 p.m. to convene the Housing Authority. The meeting was reconvened at 12:18 p.m. with Council Members Hartley, Behr, Stallings and Filner not present. The meeting was recessed by Mayor O'Connor at 12:20 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:21 p.m. with no quorum present. A quorum was present at 2:22 p.m. with Council Members Roberts, Behr, Stallings and Filner not present. Mayor O'Connor recessed the meeting at 2:33 p.m. to convene the Redevelopment Agency. The meeting was reconvened by Mayor O'Connor at 2:34 p.m. with Council Members Roberts, Behr and Stallings not present. Mayor O'Connor adjourned the meeting at 3:24 p.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
  - (1) Council Member Wolfsheimer-present
  - (2) Council Member Roberts-present
  - (3) Council Member Hartley-present
  - (4) Council Member Stevens-present
  - (5) Council Member Behr-Excused by R-280606  
(out-of-town City business)
  - (6) Council Member Stallings-not present
  - (7) Council Member McCarty-present
  - (8) Council Member Filner-present
- Clerk-Abdelnour/Fishkin (mc/so)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-not present
- (4) Council Member Stevens-present
- (5) Council Member Behr-not present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Elaine Brooks regarding Ethnic and Racial Issues. She also thanked the Elected Officials and City Employees who participated in the Gay Parade.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A017-051.)

COUNCIL COMMENT:

ITEM-CC-1:

Mayor O'Connor clarified that the two ballot measures: 1) Charging for Trash Collection; and 2) Bond issue for the libraries, were not adopted by Council on July 20, 1992. The actual adoption for the ballot measures will be on Tuesday, July 28, 1992.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A052-069.)

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COUNCIL COMMENT:

ITEM-CC-2:

Comment by Council Member Filner that the PS&S Meeting scheduled for August 5, 1992 is canceled. All reports to PS&S for this date are to be sent directly to Council.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D130-133.)

ITEM-150: (R-93-71) ADOPTED AS RESOLUTION R-280384

Authorizing the City Manager to execute Phase 2 to the agreement with Ogden Environmental and Energy Services Company, for consulting services in connection with the Multiple Species Conservation Program; contingent on approval of the Fiscal Year 1993 CIP budget, the City Auditor and Comptroller is authorized to transfer an amount not to exceed \$60,000 from CIP-45-910.3 to CIP-46-154.0, as reimbursement for the amount advance to Phase 1 by Amendment No. 1 of this agreement; contingent on approval of the Fiscal Year 1993 CIP budget, the expenditure of an amount not to exceed \$879,899 from the Clean Water Program Sewer Revenue Fund (41509), CIP-45-910.3, Program Planning and Studies Activities, is authorized for the purpose of providing funds for Phase 2 (August 1, 1992 - July 31, 1993) of this program; authorizing the City Manager to finance or refinance this program with tax exempt securities, if circumstances so warrant.

(See City Manager Report CMR-92-220.)

COMMITTEE ACTION: Reviewed by PFR on 7/8/92. Recommendation to refer to the City Council without a recommendation. Districts 5, 6 and 7 voted yea. District 3 not present.

Aud. Cert. 9300022.

WU-CWP-92-164.

FILE LOCATION: MEET CCONFY93-1

COUNCIL ACTION: (Tape location: C147-370.)

MOTION BY STEVENS TO ADOPT WITH DIRECTION TO THE CITY MANAGER TO UPDATE THE CITY'S MINORITY HIRING GOALS BASED ON 1990 CENSUS PROJECTIONS. THE MANAGER SHALL MONITOR OGDEN ENVIRONMENTAL AND ENERGY SERVICES CO. ON A MONTHLY BASIS TO ENSURE THAT THEY ARE MEETING THESE HIRING GOALS. BEFORE A CONTRACT COMES TO COUNCIL, THE MANAGER IS TO REVIEW THE CITY'S MINORITY HIRING GOALS CAREFULLY, AND ON CONTRACT AMENDMENTS, IN ADDITION TO THE MBE/WBE FIGURES, INCLUDE THE CONTRACTOR'S WORK FORCE ANALYSIS IN THE BACKUP. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200:

FY 1993 Annual Appropriation Ordinance and Related Actions:

(See City Manager Report CMR-92-221.)

Subitem-A: (O-93-14) CONSIDERED ON MONDAY, JULY 20, 1992

First public hearing in the matter of:

An Ordinance adopting the Annual Budget for the Fiscal Year 1992-93 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year.

NOTE: See Item 330 on the docket of Tuesday, July 21, 1992, for the introduction and adoption of the ordinance.

Subitem-B: (O-92-146 Cor.Copy) INTRODUCED, TO BE ADOPTED  
ON AUGUST 3, 1992

Introduction of an Ordinance amending San Diego Municipal Code Chapter 2, Article 2, Division 18, Section 22.1801 to add the Neighborhood Code Compliance Department.

Subitem-C: (O-93-15) INTRODUCED, TO BE ADOPTED ON  
AUGUST 3, 1992

Introduction of an Ordinance amending San Diego Municipal Code Chapter 3, Article 5, Division 1,

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Section 35.0128; Chapter 9, Article 5, Division 1,  
Section 98.0503, for the purpose of adjusting the  
City's annual contribution to the Housing Trust Fund.

Subitem-D: (R-93-122) ADOPTED AS RESOLUTION R-280379

Amend Council Policy 600-13 regarding the San Diego  
Housing Trust Fund.

Subitem-E: (R-93-110) ADOPTED AS RESOLUTION R-280380

Amending Council Policy 100-03 regarding Transient  
Occupancy Tax.

FILE LOCATION: Subitems A-C: --; Subitems D & E: MEET

COUNCIL ACTION: (Tape location: B474-530.)

MOTION BY ROBERTS TO INTRODUCE SUBITEMS B & C AND ADOPT  
SUBITEMS D & E. Second by McCarty. Passed by the following  
vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present,  
Stevens-yea, Behr-not present, Stallings-not present,  
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-208: CONTINUED TO AUGUST 3, 1992, 2:30 P.M. TIME  
CERTAIN

(Continued from the meeting of July 6, 1992, Item 202,  
at Councilmember Behr's request, for further review.)

Alternate Resolutions relative to the Equal Opportunity  
Contracting Program:

(See City Manager Report CMR-92-197.)

Subitem-A: (R-92-2121)

Approving the City Manager's recommendations on the  
Equal Opportunity Contracting Program to do the  
following: 1. Not to commission a disparity study;  
and 2. Not to convert the Minority Business

Enterprise/Women Business Enterprise Program to an  
Economic Business Enterprise Program, as set forth in  
the City Manager's Report CMR-92-197, dated June 10,  
1992.

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Subitem-B: (R-92-2122)

Approving the recommendation of the Public Services and Safety Committee to do the following: 1) Commission a disparity study which includes the disabled community; 2) Maintain Minority & Women Business Enterprise Program intact with weighted criteria for MBE/WBE participation; 3) Empanel a Special Task Force to review the Minority/Women Business Enterprise Program; and 4) Request to investigate claims of fraudulent situations.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A235-240.)

MOTION BY FILNER TO CONTINUE TO AUGUST 3, 1992 AT 2:30 P.M., TIME CERTAIN, CONFIRMING THE CHAIR'S DIRECTION ON JULY 20, 1992. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-209: (O-93-2 Cor. Copy) INTRODUCED, TO BE ADOPTED  
AUGUST 3, 1992

Introduction of an Ordinance to amend San Diego Municipal Code Chapter X, Article 1, Division 5, Sections 101.0510.C.3.o, to amend the Conditional Use Permit (CUP) to permit correctional placement centers in any zone except residential, neighborhood commercial, A-1 areas and the Beach Impact Area (BIA) of the Coastal Zone, or in the Future Urbanizing area. Since the Conditional Use Permit Ordinance is applicable in the Coastal Zone, this action will also constitute an amendment to the City's Local Coastal Program (LCP). The environmental document has been certified.

(City-Wide.)

(The proposed amendment is the California Coastal Commission's suggested modification to the City's Local Coastal Program (LCP) amendment. Planning Department recommends approval of the amendment.)

FILE LOCATION:

COUNCIL ACTION: (Tape location: A241-362.)

Hearing began at 11:20 a.m. and halted at 11:29 a.m.

Testimony in favor by Michel Anderson.

Testimony in opposition by Donald Worley.

MOTION BY STEVENS TO INTRODUCE. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-330: (O-93-14) INTRODUCED AND ADOPTED AS ORDINANCE  
O-17807 (New Series)

Introduction and adoption of an Ordinance adopting the Annual Budget for the Fiscal Year 1992-93 and appropriating the necessary money to operate the City of San Diego for said Fiscal Year.

FILE LOCATION: MEET Budget-Annual (Record Series #5)

COUNCIL ACTION: (Tape location: B474-530.)

MOTION BY ROBERTS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-331: CONTINUED TO AUGUST 3, 1992, 12:00 P.M. SPECIAL  
WORKSHOP

Presentation to the Mayor and City Council regarding a progress report on the North City Future Urbanizing Area Framework Plan.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A070-206.)

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MOTION BY ROBERTS TO CONTINUE TO AUGUST 3, 1992 AT 12:00 P.M. AT THE REQUEST OF A CONSTITUENT TO CONDUCT A WORKSHOP TO DEAL WITH THIS ISSUE AS A SEPARATE ITEM. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-332: (R-92-1984) ADOPTED AS RESOLUTION R-280381

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Park Village Landscape Maintenance District.

(Rancho Penasquitos Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the assessments for the maintenance of landscaped medians and slopes in the Park Village Landscape Maintenance District for Fiscal Year 1993. The developer of the subdivision will continue to provide all necessary maintenance for any newly landscaped areas until they are turned over to and accepted by the district. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 85,000
Personnel	17,171
Utilities	16,450
Incidentals	23,201*
Total expenses	\$141,822
Reserve	35,912
Total	\$177,734
Less Carry-over & Interest	54,000
Less City Contribution	6,729
Assessed to District	\$117,005

\*Includes Assessment District Management Fee of \$8,659.

Assessments for Fiscal Year 1993 will be approximately \$38.11 per dwelling unit compared to \$34.82 for Fiscal Year 1992. The increase is due to approximately 23 acres of additional landscaping to be maintained by the district in FY '93.

FILE LOCATION: STRT M-270

COUNCIL ACTION: (Tape location: B422-443.)



Hearing began at 12:14 p.m. and halted at 12:15 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-333: (R-92-1987 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-280382

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Linda Vista Road Landscape Maintenance District.

(Linda Vista Community Area. Districts-5 and 6.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Linda Vista Road Landscape Maintenance District. The district provides maintenance of landscape medians and streetscapes within the district boundaries. In Fiscal Year 1993, the district will take over the maintenance of the existing landscaping improvements within the area designated as Phase I. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 25,000
Personnel	12,263
Utilities	12,750
Incidentals	23,023*
Total Expenses	\$ 73,036
Reserve	20,116
Total	\$ 93,152
Less Carry-over & Interest	0
Less City Contribution	1,528
Assessed to District	\$ 91,624

\*Includes Assessment District Management Fee of \$4,460.

The proposed assessment for Fiscal Year 1993 is approximately \$12.41 per dwelling unit for properties within Phase I area of the district.

Fiscal Year 1993 is the first year assessments are being levied for this district.

FILE LOCATION: STRT M-266

COUNCIL ACTION: (Tape location: B363-420.)

Hearing began at 11:30 a.m. and halted at 12:13 p.m.

Testimony in favor by Janet Kaye.

Testimony in opposition by Bernard Lewis, Lisa Lyons, Mike Murphy, Ted Cramer, John Cheney, David Capehart, Betty Derbonne, Joe Tracy and Gilbert Smith.

MOTION BY STEVENS TO ADOPT AS AMENDED WITH THE FOLLOWING DIRECTION TO THE CITY MANAGER: 1) TO NOT HAVE AN ASSESSMENT FOR FISCAL YEAR 1993; 2) TO WORK WITH THE COMMUNITY GROUPS AND INDIVIDUALS ON SPECIFIC PROBLEMS THAT NEED TO BE RESOLVED; AND 3) COME BACK TO COUNCIL WITH A REPORT OUTLINING A PLAN THAT IS ACCEPTABLE TO THE COMMUNITY FOR A PUBLIC HEARING IN 1993. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-334: (R-92-1978) ADOPTED AS RESOLUTION R-280383

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the La Jolla Village Drive Landscape Maintenance District.

(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the La Jolla Village Drive Landscape Maintenance District. The district provides maintenance of the landscaped medians along La Jolla Village Drive between I-5 and Regents Road. In Fiscal Year 1993, the district will take over the maintenance of the existing landscaping improvements. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 20,000
Personnel	4,906
Utilities	2,700
Incidentals	12,123*
Total Expenses	\$ 39,729
Reserve	3,814
Total	\$ 43,543
Less Carry-over & Interest	0
Less City Contribution	695
Assessed to District	\$ 42,848

\*Includes Assessment District Management Fee of \$2,415.

The proposed assessment for Fiscal Year 1993 is approximately \$19 per dwelling unit. Fiscal Year 1993 is the first year assessments are being levied for this district.

FILE LOCATION: STRT M-265

COUNCIL ACTION: (Tape location: B444-456.)

Hearing began at 12:15 p.m. and halted at 12:16 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-335: CONTINUED TO JULY 28, 1992

A proposal to amend Chapter X, Article 3, Division 1, and Article 4, Division 1 of the San Diego Municipal Code by amending Sections 103.0101 and 104.0100.10 to change the public noticing requirements for Planned Districts and Special Sign Districts.

This amendment would reduce the number of mailed public notices for future amendments to planned district ordinances and special sign districts by allowing the City to use only newspaper notices whenever the number of mail notices would exceed 1,000.

(City-wide.)

(On October 25, 1990, the Planning Commission voted 4-0 to approve the amendment with a modification to authorize, at the discretion of the Department, advertising in an additional newspaper of public (general) circulation.)

Subitem-A: (O-93-10)

Introduction of an Ordinance amending Section 103.0101 of the San Diego Municipal Code.

Subitem-B: (O-93-11)

Introduction of an Ordinance amending Section 104.0100.10 of the San Diego Municipal Code.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A210-233.)

MOTION BY FILNER TO CONTINUE TO JULY 28, 1992 AT THE REQUEST OF THE SOUTHEAST DEVELOPMENT COMMITTEE FOR FURTHER REVIEW.  
Second by Stevens. Passed by the following vote:  
Wolfsheimer-yea, Roberts-not present, Hartley-yea,  
Stevens-yea, Behr-not present, Stallings-not present,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-336: (R-92-1990) ADOPTED AS RESOLUTION R-280385

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Scripps-Miramar Ranch Landscape Maintenance District.

(Scripps-Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Scripps-Miramar Ranch Landscape Maintenance District. The district provides landscape maintenance for open space and medians. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$204,000
Personnel	49,058
Utilities	46,000
Incidentals	48,771*
Total Expenses	\$347,829
Reserve	43,398
Total	\$391,227
Less Carry-over & Interest	139,517
Less City Contribution	11,412
Assessed to District	\$240,298

\*Includes Assessment District Management Fee of \$21,237.

The proposed unit assessment for Fiscal Year 1993 is \$41.20. The assessment amount for Fiscal Year 1992 was \$32.23. The increase in assessments is due to additional tree service, reed removal at Hendrix Pond and other special projects requested by the community.

FILE LOCATION: STRT M-271

COUNCIL ACTION: (Tape location: C124-132.)

Hearing began at 2:32 p.m. and halted at 2:33 p.m.

MOTION BY McCARTY TO ADOPT ITEMS 336, 337, AND 338 AND TO ADOPT ITEM 339 WITH THE ASSESSMENT TO REMAIN THE SAME AS IN 1992. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-337: (R-92-1993) ADOPTED AS RESOLUTION R-280386

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Lopez Canyon Stormwater Retention Basin Maintenance District.

(Mira Mesa Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Lopez Canyon Stormwater Retention Basin Maintenance District. The district provides maintenance for the stormwater retention basin and the related structures. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 1,500
Personnel	0
Utilities	0
Incidentals	1,500
Total Expenses	\$ 3,000
Reserve	3,005
Total	\$ 6,005
Less Carry-over & Interest	6,005
Less City Contribution	0
Assessed to District	\$ 0

The carry-over amount from the previous year and the projected interest is \$6,005. The proposed expenditure to maintain the district including incidental expenses for Fiscal Year 1993 is \$3,000. The balance remaining in the district account (\$6,005) in Fiscal Year 1993 is sufficient to provide a continuing major maintenance reserve.

Consequently, no assessments to the district are proposed for Fiscal Year 1993. The amount assessed to the district in Fiscal Year 1992 was also zero.

FILE LOCATION: STRT M-267

COUNCIL ACTION: (Tape location: C124-132.)

Hearing began at 2:32 p.m. and halted at 2:33 p.m.

MOTION BY McCARTY TO ADOPT ITEMS 336, 337, AND 338 AND TO ADOPT ITEM 339 WITH THE ASSESSMENT TO REMAIN THE SAME AS IN 1992. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-338: (R-92-1975) ADOPTED AS RESOLUTION R-280387

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Newport Avenue Landscape Maintenance District.

(Ocean Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Newport Avenue Landscape Maintenance District. The district provides maintenance to sidewalk landscaping, decorative sidewalk and planters. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 14,250
Personnel	7,358
Utilities	1,000
Incidentals	8,101*
Total Expenses	\$ 30,709
Reserve	2,745
Total	\$ 33,454
Less Carry-over & Interest	7,300
Less City Contribution	0
Assessed to District	\$ 26,154

\*Includes Assessment District Management Fee of \$1,876.

The proposed unit assessment for Fiscal Year 1993 is \$7.63 per frontage foot as compared to \$7.40 for Fiscal Year 1992.

FILE LOCATION: STRT M-269

COUNCIL ACTION: (Tape location: C124-132.)

Hearing began at 2:32 p.m. and halted at 2:33 p.m.

MOTION BY McCARTY TO ADOPT ITEMS 336, 337, AND 338 AND TO ADOPT ITEM 339 WITH THE ASSESSMENT TO REMAIN THE SAME AS IN 1992. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-339: (R-92-1996) ADOPTED AS RESOLUTION R-280388

Considering the protests, approving the modified map, confirming the assessments, and ordering the proposed maintenance, in the matter of the Mission Boulevard Landscape Maintenance District.

(Mission Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: This action establishes the annual assessments for the Mission Boulevard Landscape Maintenance District. The district provides for the maintenance of approximately 200 trees and planter boxes along Mission Boulevard from San Diego Place to Pacific Beach Drive. The Fiscal Year 1993 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 18,653
Personnel	21,210
Utilities	0
Incidentals	13,076
Total Expenses	\$ 52,939
Reserve	14,078
Total	\$ 67,017
Less Carry-over & Interest	20,769
Less City Contribution	0
Assessed to District	\$ 46,248

The annual assessment for Fiscal Year 1993 will be \$12.30 per dwelling unit, compared to \$11.71 for Fiscal Year 1992.

FILE LOCATION: STRT M-268

COUNCIL ACTION: (Tape location: C124-132.)

Hearing began at 2:32 p.m. and halted at 2:33 p.m.

MOTION BY McCARTY TO ADOPT ITEMS 336, 337, AND 338 AND TO ADOPT ITEM 339 WITH THE ASSESSMENT TO REMAIN THE SAME AS IN 1992. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-340: CONTINUED TO SEPTEMBER 8, 1992

(Continued from the meeting of June 16, 1992, Item 332, at the City Manager's request, to meet with concerned property owners.)

Three actions relative Centerside II, Camino Del Rio North Cost Reimbursement District:

(Mission Valley Community Area. District-6.)



Subitem-A: (R-92-1899)

Establishing Centerville II, Camino Del Rio North Cost Reimbursement District; declaring the limiting period for when assessed costs are due and payable is set at 20 years; approving the map of the proposed Centerville II, Camino Del Rio North Cost Reimbursement District; approving a description of the public improvements, the actual cost of the improvements, and the apportionment of the costs.

Subitem-B: (R-92-1900)

Authorizing a Cost Reimbursement Agreement with Homart Development Company, for the Centerville II, Camino Del Rio North Cost Reimbursement District; declaring the term of the Reimbursement Agreement is set at a period of 20 years; authorizing the expenditure of an amount not to exceed \$429,408 from DIF Fund 79529, for the reimbursement of CIP-52-447, Camino Del Rio North, from I-805 to Milly Way (Mission City Parkway).

Subitem-C: (R-92-1901)

Authorizing a first amendment to an agreement for Cost Reimbursement Engineering with Dudek & Associates, for engineering services; authorizing the expenditure of an amount not to exceed \$2,000 from Cost Reimbursement District Fund No. 63020, Department No. 6320, Job Order 139012, for the purpose of providing funds to pay for additional consultant services.

CITY MANAGER SUPPORTING INFORMATION: On March 19, 1990, the City Council authorized execution of a Formation Cost Agreement with Homart Development Company, developer of Centerville II. The public improvements construction cost for which the developer is seeking partial reimbursement include road widening, road realignment, traffic signals, storm drain facilities and other related work along Camino Del Rio North between Stadium Way and Mission City Parkway, previously known as Milly Way. These public improvements, shown on Drawing No. 23248-D, benefit adjacent properties. It is proposed that other benefitting property owners pay \$4,179,061 in reimbursements representing their fair share of the total project costs of \$4,803,411. Individual parcels would be lienied with amounts to be paid if development occurs within a twenty-year period. Development Impact Fee (DIF) contribution towards the public improvements within this district is identified in the Capital Improvement

Program and the 1988 Mission Valley Interim Public Facilities Financing Plan. The contribution is scheduled to begin in Fiscal 1994 with payments through Fiscal 1998. Total reimbursement from DIF and benefitting property owners is \$4,608,469 and the remaining \$194,942 is the developer's cost. It is also proposed that Dudek & Associates, the consultant retained by the City, be paid an additional \$2,000. A notice of today's public hearing was set to all affected property owners a minimum of additional days prior to today's hearing.

Aud. Cert. 9200911.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C045-049.)

MOTION BY McCARTY TO CONTINUE TO SEPTEMBER 8, 1992 AT THE REQUEST OF THE CITY MANAGER TO WORK OUT AN AGREEMENT WITH THE TWO PARTIES. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-341: (R-92-2046) CONTINUED TO AUGUST 4, 1992,  
2:00 P.M.

Matter of the approval of the "Transit-Oriented Development Design Guidelines (TOD)" and a Council Policy for Land Guidance. A major goal of the TOD Guidelines is to have more mixed-used development around selected trolley stations and bus corridors in order to reduce dependence on the automobile. A mixed-use development could include uses such as restaurants, markets, offices, apartments, condominiums, parks and child care centers. A TOD project would create a more pleasant, efficient environment for people walking, bicycling and using public transit.

The Council Policy states how the TOD Guidelines would be carried out over time. It describes how demonstration projects and General Plan, community plan, Municipal Code, Street Design Manual amendments and other items would be used to further the TOD goals.

Approval of the Council Policy would provide direction for future actions, but at this hearing none of these General Plan or other amendments would actually occur.

(City-wide.)

Adoption of a Resolution approving the Land Guidance "Transit-Oriented Development (TOD) Design Guidelines" and the Council Policy to implement the TOD guidelines.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C049-054.)

MOTION BY McCARTY TO CONTINUE TO AUGUST 4, 1992 AT 2:00 P.M. AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-92-2100) CONTINUED TO JULY 27, 1992

(Continued from the meeting of July 13, 1992, Item 113, at the City Manager's request, to meet with the City Attorney's office to discuss the funding source involved.)

Modifying FY 1992 CIP by adding CIP-29-787.0, La Jolla Recreation Center Tennis Court No. 9; authorizing the City Auditor and Comptroller to transfer \$100,000 from PSD Fund No. 17000 to CIP-29-787.0, La Jolla Park and Recreation Center Tennis Court No. 9.

(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The proposed addition to the FY 92 CIP will provide funding for replacement of La Jolla Recreation Center's No. 9 Tennis Court. This court has been deemed unusable due to settlement from subgrade drainage problems. The community has requested that this court be replaced to provide for adequate facilities for tournaments and programs that take place at the Center.

Aud. Cert. 9201002.

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FILE LOCATION:

COUNCIL ACTION: (Tape location: C054-063.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JULY 27, 1992 AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403: (R-92-2054 Rev.1) ADOPTED AS RESOLUTION R-280389

(Continued from the meeting of July 13, 1992, Item 118, at the City Manager's request, to analyze the language in the agreement.)

Authorizing the execution of an agreement with the United States, acting through the International Boundary and Water Commission (IBWC), for a one-year extension on the use of the Tijuana emergency connection for conveyance, treatment and disposal of Tijuana sewage by the San Diego Metropolitan Sewerage System.

(See City Manager Report CMR-92-202. San Ysidro and Tijuana River Valley Community Areas. District-8.)

COMMITTEE ACTION: Reviewed by PFR on 6/24/92. Recommendation to approve the City Manager's recommendation. Districts 3, 5, 6 and 7 voted yea.

WU-CWP-92-161.

FILE LOCATION: MEET CONFY93-1

COUNCIL ACTION: (Tape location: C385-D130.)

Motion by McCarty to extend the contract to March, 1993 as recommended by the City Manager. The City will meet the challenge and will find the money for funding beyond March, 1992 from other sources, including the County, Federal and State Governments, the City of Imperial Beach and Congress. Second by Filner. No vote.

Motion by Filner to amend the motion to extend the use of the Tijuana emergency connection for conveyance, treatment and disposal of Tijuana sewage by the San Diego Metropolitan Sewerage System for 12 months. Second by Wolfsheimer. Failed. Yeas-1,7,8. Nays-2,3,4,M. Not present-5,6.

MOTION BY ROBERTS TO APPROVE THE EXTENSION OF THE CONTRACT FOR THE USE OF THE TIJUANA EMERGENCY CONNECTION FOR CONVEYANCE, TREATMENT AND DISPOSAL OF TIJUANA SEWAGE BY THE SAN DIEGO METROPOLITAN SEWERAGE SYSTEM UNTIL JANUARY, 1993. DIRECT THE CITY MANAGER AND THE CITY ATTORNEY TO MEET WITH THE REPRESENTATIVES OF SAN DIEGO COUNTY, THE CITY OF IMPERIAL BEACH, THE STATE GOVERNMENT, THE FEDERAL GOVERNMENT AND THE INTERNATIONAL BOUNDARY AND WATER COMMISSION (IBWC), AND INFORM THEM THAT THEY ALL HAVE TO COME UP WITH THEIR SHARE. REPORT BACK TO COUNCIL IN DECEMBER, 1992 WITH INFORMATION FROM ALL OF THESE AGENCIES SHOWING WHERE THE MONEY IS COMING FROM, ALONG WITH A FORMULA PLAN, ASSUMING THE COST TO BE \$600 PER GALLON. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405: CONTINUED TO JULY 27, 1992

In the matter of local criminal justice issues.

(See City Manager Report CMR-92-219.)

COMMITTEE ACTION: Reviewed by PSS on 7/15/92. Recommendation to approve the City Manager's report and request that it be docketed as soon as possible for a discussion of a November ballot initiative. Districts 1,2,3,4 and 8 voted yea.

FILE LOCATION:

COUNCIL ACTION: (Tape location: C374-385.)

MOTION BY STEVENS TO CONTINUE TO JULY 27, 1992 TO ALLOW COUNCIL MEMBERS BEHR AND STALLINGS TO BE PRESENT TO VOTE. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

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ITEM-S406: CONTINUED TO AUGUST 3, 1992, 2:30 P.M. TIME  
CERTAIN

In the matter of local preference in City Contracts.

(See City Manager Reports CMR-92-199, CMR-92-92,  
CMR-92-59, CMR-91-492.)

COMMITTEE ACTION: Reviewed by PSS on 7/15/92. Recommendation to include in the 7/20/92 report to the Council on the MBE/WBE Program and Disparity Study, PS&S's desire to also study the need for local preference in performing the Disparity Study. The Manager and the Attorney were also requested to return to Committee with a report on how the City might encourage local hiring. Districts 1,2,3 and 4 voted yea. District 8 not present.

FILE LOCATION:

COUNCIL ACTION: (Tape location: A235-240.)

MOTION BY FILNER TO CONTINUE TO AUGUST 3, 1992 AT 2:30 P.M., TIME CERTAIN, CONFIRMING THE CHAIR'S DIRECTION ON JULY 20, 1992. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-500: (R-93-109) ADOPTED AS RESOLUTION R-280390

Conceptually approving the Phase I "Vision" statement prepared by the Partnership for San Diego Committee which will be used as a basis for the development of "Quality of Life Standards" (Phase II).

(See memorandum from Councilmember Hartley dated 7/13/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C065-119.)

MOTION BY HARTLEY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-not present, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-CS-1: (R-93-164) ADOPTED AS RESOLUTION R-280391

A Resolution adopted by the City Council in Closed Session  
on July 21, 1992:

Authorizing the City Manager to pay the total sum of  
\$25,000 in the settlement of each and every claim  
against the City, its agents and employees, resulting  
from personal injuries to Jane Elizabeth Waters;  
authorizing the City Auditor and Comptroller to issue  
one check in the amount of \$25,000 made payable to Jane  
Elizabeth Waters and James V. Parizale in full  
settlement of all claims.

Aud. Cert. 9300051

FILE LOCATION: MEET

ITEM-CS-2: (R-93-90) ADOPTED AS RESOLUTION R-280392

A Resolution adopted by the City Council in Closed Session  
on July 21, 1992:

Authorizing the City Manager to pay the total sum of  
\$27,500 in the settlement of each and every claim  
against the City, its agents and employees, resulting  
from personal injuries sustained by Maite Rodriguez;  
authorizing the City Auditor and Comptroller to issue  
one check in the amount of \$27,500 made payable to  
Maite Rodriguez and her attorney, William R. Winship,  
Jr. in full settlement of all claims.

Aud. Cert. 9201051

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

**ADJOURNMENT:**

The meeting was adjourned by Mayor O'Connor at 3:14 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D135.)